

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: John J. Shin, et al.
Title: REAL TIME SELF-ADJUSTING CALIBRATION ALGORITHM
Appl. No.: 10/750,978
Filing Date: 12/31/03
Examiner: Aditya S. Bhat
Art Unit: 2863
Confirmation No.: 5462

DECLARATION UNDER 37 CFR 1.132

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The undersigned, John J. Shin, hereby declares and states as follows:

1. The purpose of this Declaration is to show that any disclosure in U.S. Patent No. 6,895,263 of the invention of claims 1-4, 7-10, 13-16, 26-30, 33-36, 38, 43-46, 49 and 57-61, was not the invention by another person or other persons.

2. I am an inventor named in the above-referenced patent application and in U.S. Patent No. 6,895,263. At the time of the invention of the subject matter claimed in the above-referenced patent application, I was and I currently am employed by the Assignee of the above-referenced patent application, Medtronic MiniMed, Inc.

3. At or around the time of the invention of the subject matter claimed in the above-referenced patent application, I was a Principal Scientist, in charge of the Calibration Algorithm Development Group of Medtronic MiniMed, Inc. In connection with that role, I had direct oversight of the work performed by the inventors of the above-referenced patent application and have knowledge of the facts declared in this document.

4. The subject matter of the invention of each of claims 1-4, 7-10, 13-16, 26-30, 33-36, 38, 43-46, 49 and 57-61 of the above-referenced patent application was conceived of by the undersigned (John J. Shin) alone or with one or both of Nandita N. Patel and Sami Kanderian, Jr. Each of those inventors is also an inventor in U.S. Patent No. 6,895,263. None of the other inventors named in U.S. Patent No. 6,895,263 contributed to the conception of the invention of claims 1-4, 7-10, 13-16, 26-30, 33-36, 38, 43-46, 49 and 57-61. Accordingly, any disclosure in U.S. Patent No. 6,895,263 of the invention of those claims was from an inventor in the above-referenced application and, thus, was not the invention by another person or other persons (any other person(s) not named as an inventor in the above-referenced application).

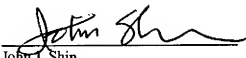
5. I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both (18 U.S.C. 1001), and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date:

3/13/09

By:


John J. Shin
Inventor